

ITEM #: 6.9	COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A098/22 226 Blackburn Blvd Woodbridge
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COA REPORT SUMMARY

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

Please see **Schedule B of this report for a copy of Staff and Agency correspondence.*

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City’s Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	X	X		General Comments
Building Standards -Zoning Review <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X	X	X	Recommend Approval w/Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		No Comments or Concerns
By-law & Compliance, Licensing & Permits	X	X		No Comments or Concerns
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X	X		No Comments or Concerns
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>	X	X		General Comments
Ministry of Transportation (MTO) <i>*Schedule B</i>				
Region of York <i>*Schedule B</i>	X	X		General Comments
Alectra <i>*Schedule B</i>	X	X		General Comments
Bell Canada <i>*Schedule B</i>	X	X		General Comments
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.</i>				
The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.				
Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.				
All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A098/22
226 Blackburn Blvd Woodbridge ON**

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.9	CITY WARD #: 3
APPLICANT:	Rosanna Deo
AGENT:	DiScipio Associates Inc.
PROPERTY:	226 Blackburn Blvd Woodbridge
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a proposed cabana to be located in the rear yard.

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned R1A (EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.351 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [4.1.2 1.b.]	To permit the proposed residential accessory structure (cabana) to be located 1.5 m from the interior side lot line.
2	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [4.1.2 1.b.]	To permit the proposed residential accessory structure (cabana) to be located 1.15 m from the interior side lot line.
3	The maximum height of an accessory building and residential accessory structure shall be 3.0 m. [4.1.4 1]	To permit the maximum height of the residential accessory structure (cabana) to be 4.42 m. 3.95m Variance revised using Zoning Review Waiver
4	The maximum permitted yard encroachment shall be 0.3 metres. [14.351.1 1.b.]	To permit eaves to encroach a maximum of 0.76 metres.

The subject lands are zoned R1 – Residential and subject to the provisions of Exception 9(589) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
5	The minimum required rear yard is 7.5 metres. [9(589) ci), Schedule T-54]	To permit a minimum rear yard to the accessory building (cabana) of 1.15 metres.
6	The maximum permitted yard encroachment shall be 0.3 metres. [9(589) bi)]	To permit eaves to encroach a maximum of 0.76 metres.

HEARING INFORMATION
DATE OF MEETING: Thursday, June 16, 2022 TIME: 6:00 p.m. MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan LIVE STREAM LINK: Vaughan.ca/LiveCouncil
PUBLIC PARTICIPATION
<p>If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the Request to Speak Form and submit to cofa@vaughan.ca</p> <p>If you would like to submit written comments, please quote file number above and submit by mail or email to:</p> <p>Email: cofa@vaughan.ca</p> <p>Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p> <p>THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.</p>

INTRODUCTION
<p>Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.</p> <p>Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application may consider the following:</p> <p>That the general intent and purpose of the by-law will be maintained. That the general intent and purpose of the official plan will be maintained. That the requested variance(s) is/are acceptable for the appropriate development of the subject lands. That the requested variance(s) is/are minor in nature.</p> <p>Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.</p>

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	June 2, 2022
Date Applicant Confirmed Posting of Sign:	June 1, 2022
Applicant Justification for Variances: *As provided by Applicant in Application Form	As per Zoning By-law 1-88, variance required solely for rear yard setback. The minimum rear yard setback of 7.5m does not allow for desired design and proper placement of proposed cabana. Rear yard setback of 1.5m is proposed.
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	Planning requested revisions to building height. COA requested adjournment to permit time for Zoning staff to review revised submission received on 05/30/2022.
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.	Yes
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	That the final Tree Protection Plan be approved to the satisfaction of the Development Planning Department.

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
<p>As the proposed cabana in the subject property is 42.11 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City’s Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)</p> <p>The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the pool permit link provided above to learn how to apply for the pool permit.</p> <p>The Development Engineering (DE) Department does not object to variance application A098/22 subject to the following condition(s):</p>	
Development Engineering Recommended Conditions of Approval:	<p>The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.</p>

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Applicant has applied for a private tree permit.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comment no concerns	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comment received to date	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comment no concerns	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning joshua.cipolletta@vaughan.ca	That the final Tree Protection Plan be approved to the satisfaction of the Development Planning Department.
2	Development Engineering farzana.khan@vaughan.ca	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.

IMPORTANT INFORMATION – PLEASE READ
CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.
APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision. An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval. A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law. Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application. Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.
DEVELOPMENT CHARGES: That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment. That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment. That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's

IMPORTANT INFORMATION – PLEASE READ
Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will not receive notice.

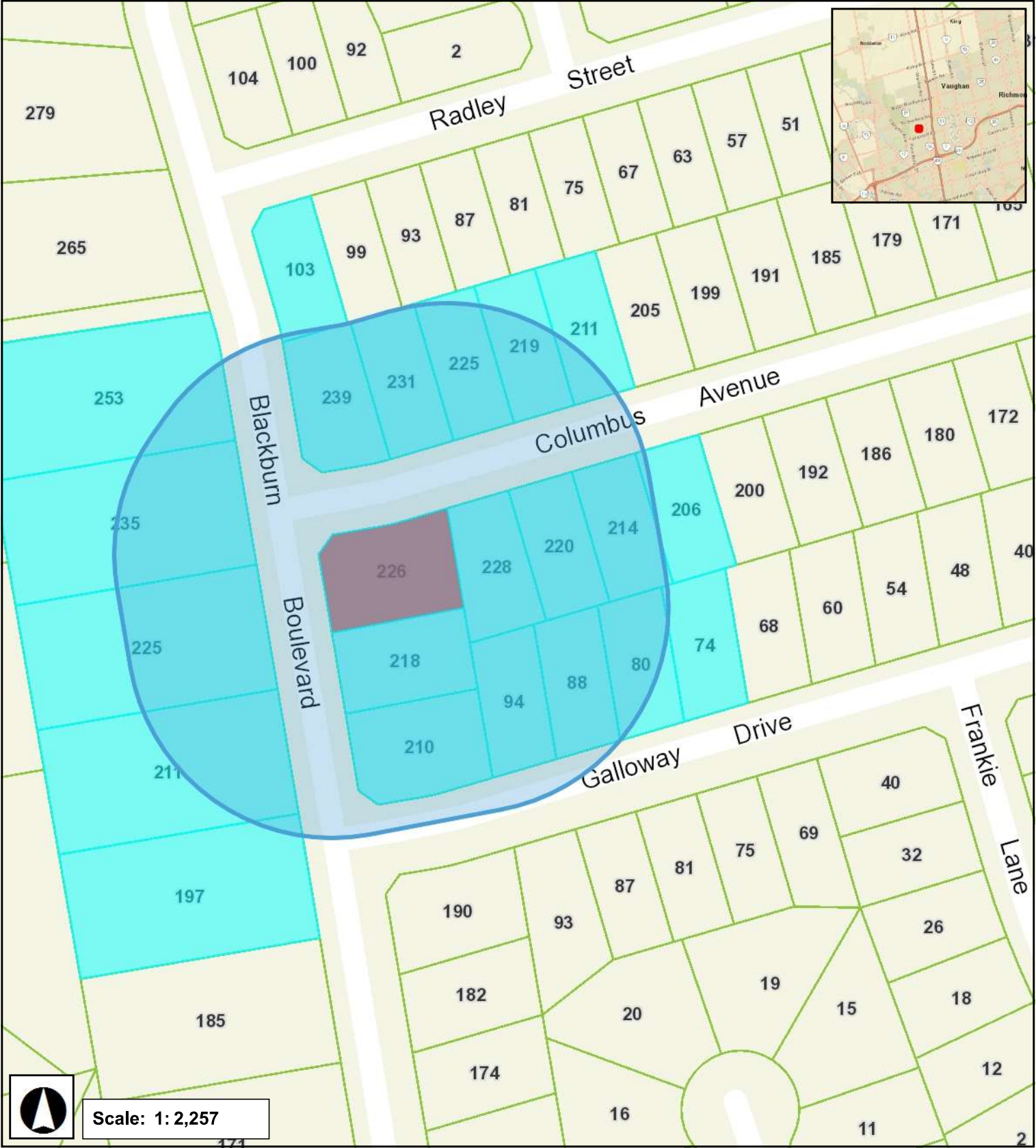
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - A098/22

226 BLACKBURN BLVD. WOODBRIDGE

Rutherford Road



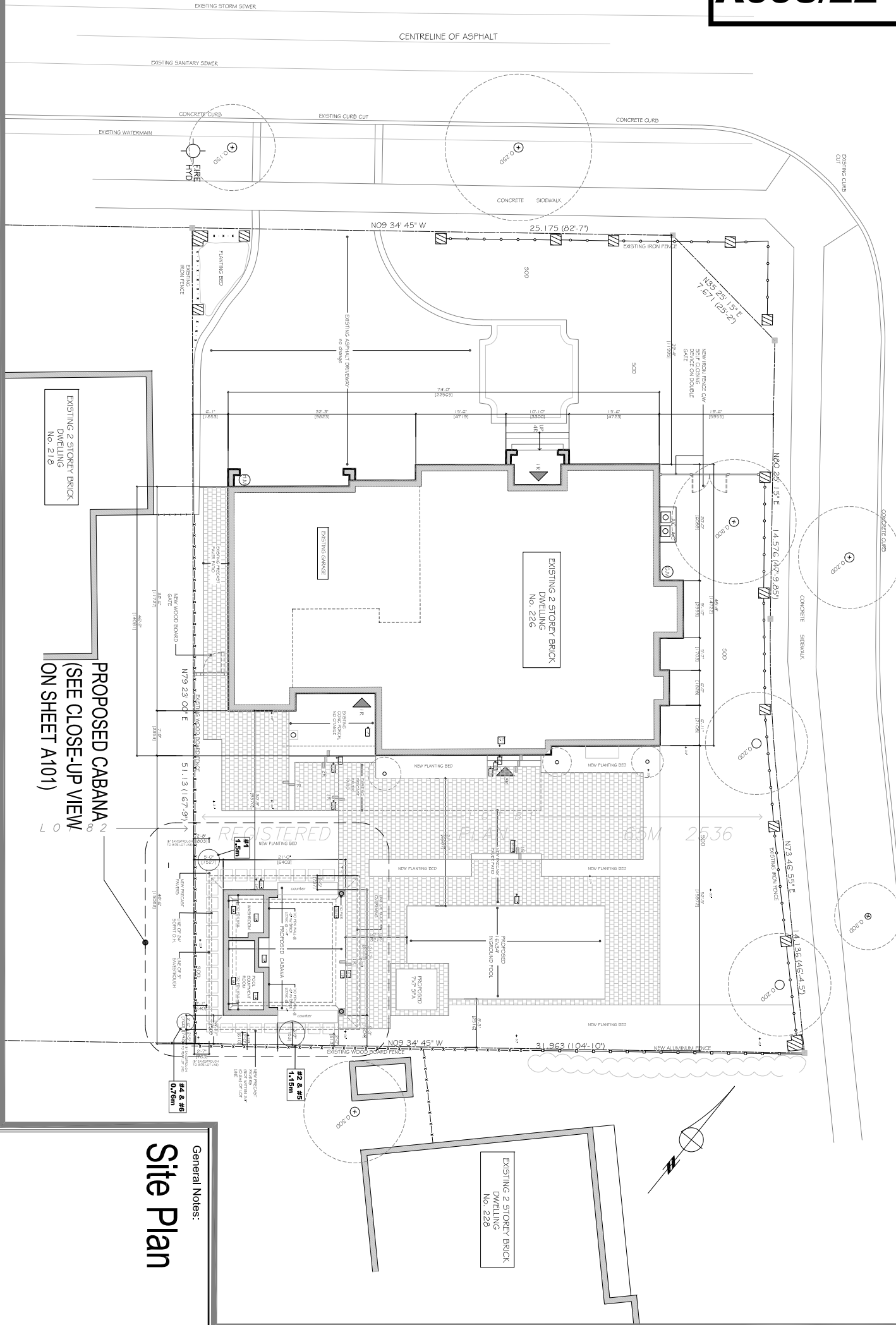
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Langstaff Road

May 30, 2022 3:35 PM

A098/22

COLUMBUS AVENUE



PLANS PREPARED BY APPLICANT

RECEIVED
By **RECEIVED** at 9:02 am, May 31, 2022

General Notes:
Site Plan

Minor Variance		
Issued for		
2022-05-10		
Issue date		
Project No.	Drawn by	Checked by
21-012		
Inground Pool and Rear Yard Accessory Structure 226 Blackburn Blvd		
Project		

Inground Pool and Rear
Yard Accessory Structure
226 Blackburn Blvd

A100

Scale
1:250

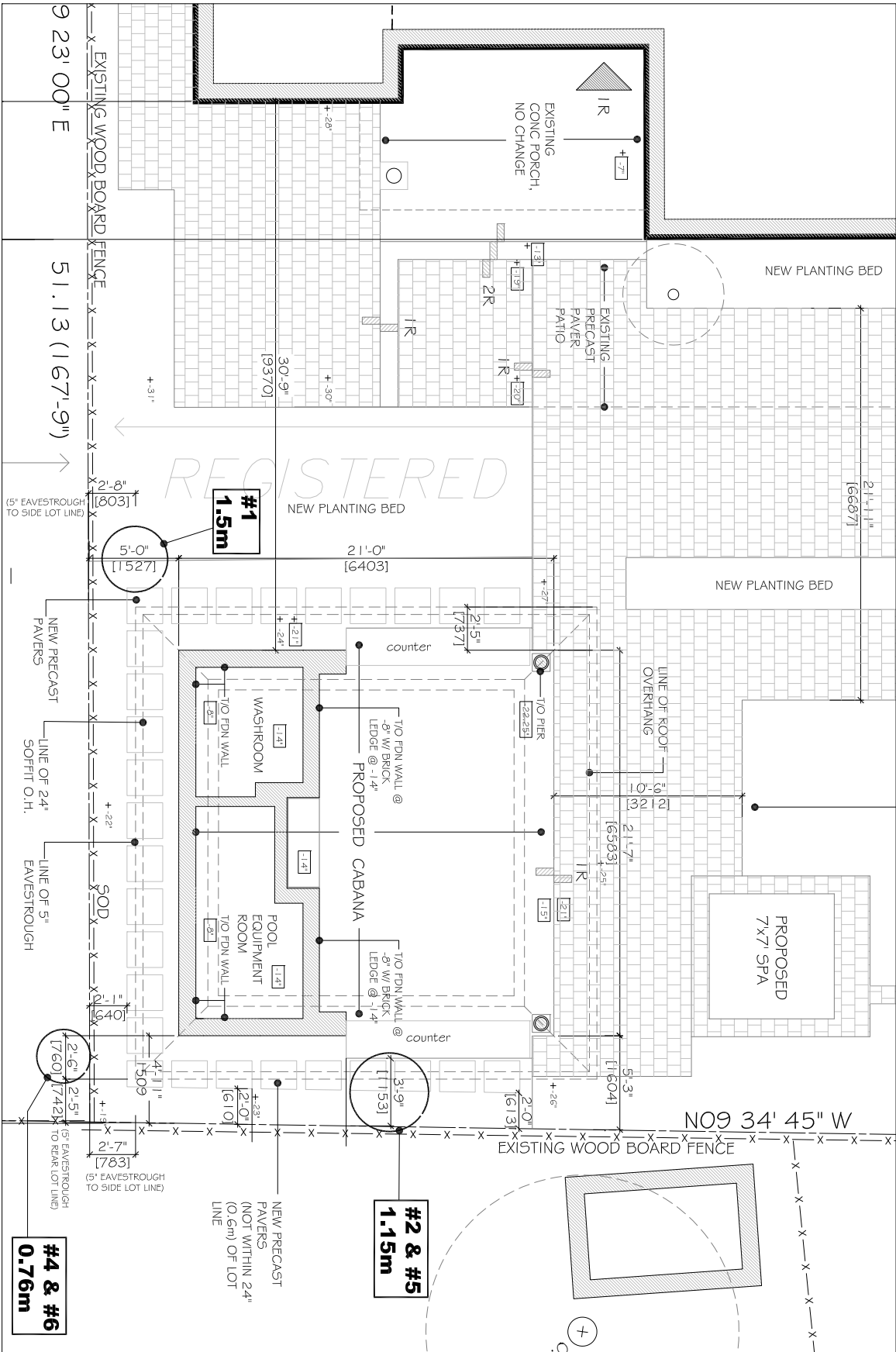
ZONING - SITE STATISTICS PERTAINING TO EXISTING DWELLING		
SITE DATA	REQUIRED	PROVIDED
LOT FRONTAGE	23m	25.175m
FRONT YARD SETBACK	7.5m	11.33m
SIDE YARD SETBACK	4.5m - North 1.5m - South	4.57m - North 1.5m - South
REAR YARD SETBACK	7.5m	15.25m
LOT AREA (TOTAL)	--	1,295.7 sq.m
COVERAGE - WITH PORCH	--	363.06 sq.m
LOT COVERAGE - TOTAL	35%	26.0%
MIDPOINT OF ROOF	--	212.06m
PEAK OF ROOF	--	214.01m
MAXIMUM HEIGHT (FEAK)	11m	10.95m
AVERAGE GRADE	--	203.06m

ZONING - SITE STATISTICS PERTAINING TO PROPOSED CABANA		
SITE DATA	REQUIRED	PROVIDED
LOT FRONTAGE	23m	25.175m
FRONT YARD SETBACK	7.5m	34.56m
SIDE YARD SETBACK	4.5m - North 1.5m - South	23.15m - North 1.5m - South
REAR YARD SETBACK	7.5m	1.15m
LOT AREA (TOTAL)	--	1,295.7 sq.m.
COVERAGE - CABANA	67 sq.m max.	63.44 sq.m.
COVERAGE - HOUSE + CABANA	--	426.52 sq.m.
LOT COVERAGE (HOUSE + CABANA)	35% max	32.92%
LOT COVERAGE (CABANA)	10% max	4.90%
MAXIMUM HEIGHT (FEAK)	4.5m	3.95m
REAR YARD SOFT LANDSCAPING	217.36 sq.m	218.21 sq.m.

MINIMUM REAR YARD SOFT LANDSCAPING:
60% OF REAR YARD IN EXCESS OF 1.35 SQ.M
REAR YARD AREA = 497.26 SQ.M
0.6 x (497.26-1.35) = 217.36 SQ.M.

NOTE:
UNDER ZONING BY-LAW 1-86, MINOR VARIANCE REQUIRED ONLY FOR REAR YARD SETBACK AND FENCE ENCROACHMENT.
UNDER ZONING BY-LAW 001-2021, MINOR VARIANCE REQUIRED FOR REAR YARD SETBACK, FENCE ENCROACHMENT, MAXIMUM HEIGHT, AND SIDE (SOUTH) LOT LINE SETBACK. REFER TO ZONING VARIANCE CHART.

LEGEND		
G.M	-	GAS METER
H.M	-	HYDRO METER
AC		AIR CONDITIONER
+ .31"		EXISTING GRADE
-1.15"		PROPOSED GRADE



LEGEND		
G.M	-	GAS METER
H.M	-	HYDRO METER
AC		AIR CONDITIONER
+ .31"		EXISTING GRADE
-1.15"		PROPOSED GRADE

General Notes:

Partial Site Plan

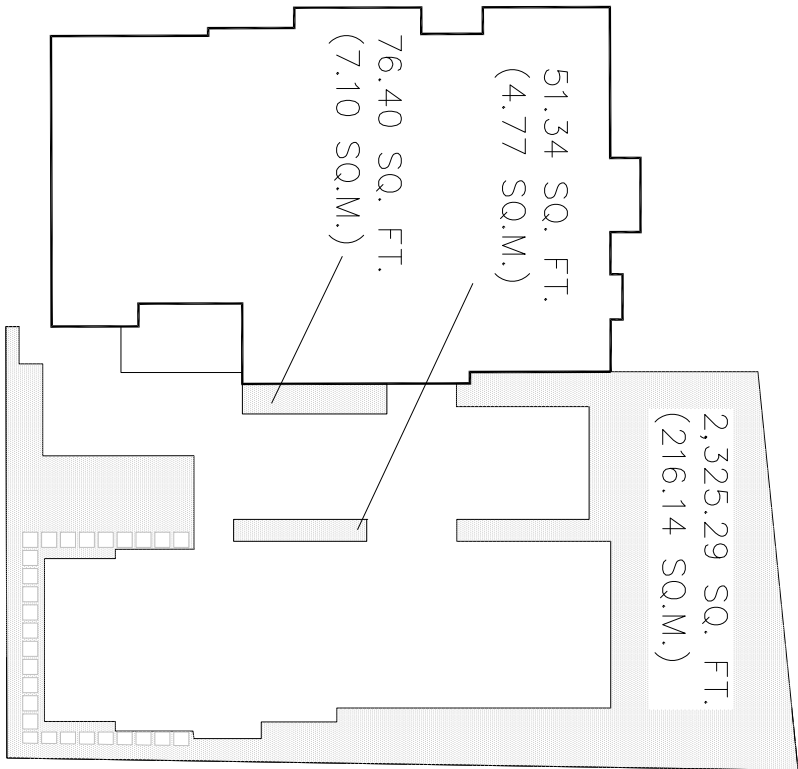
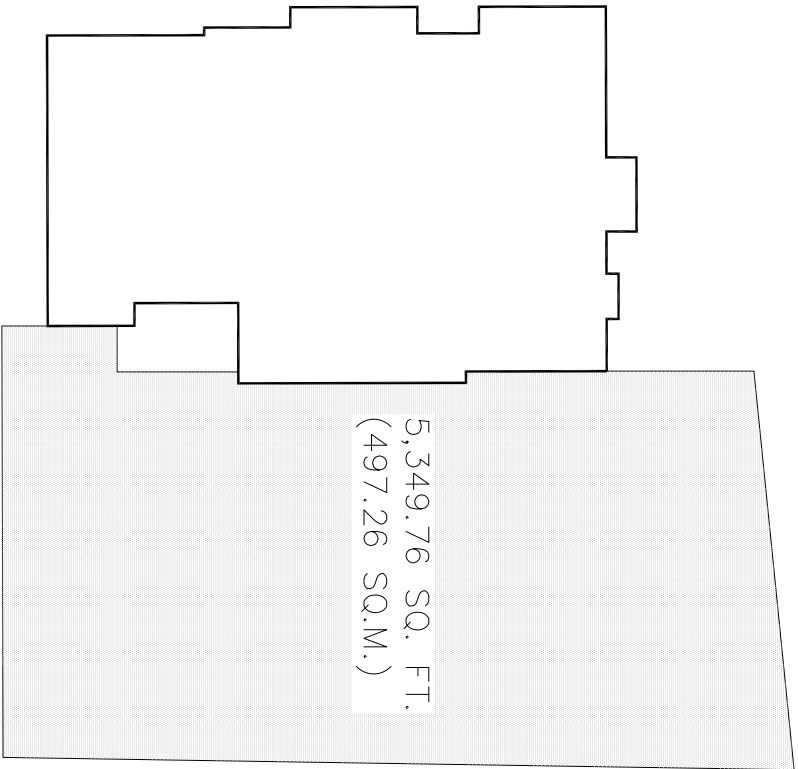
(Cabana) & Statistics

Minor Variance		
Issued to:	2022-05-10	
Time date:	21-012	
Project No:	Drawn by:	Checked by:
Inground Pool and Rear Yard Accessory Structure		
226 Blackburn Blvd		

Scale: 1:100

Sheet No: A101

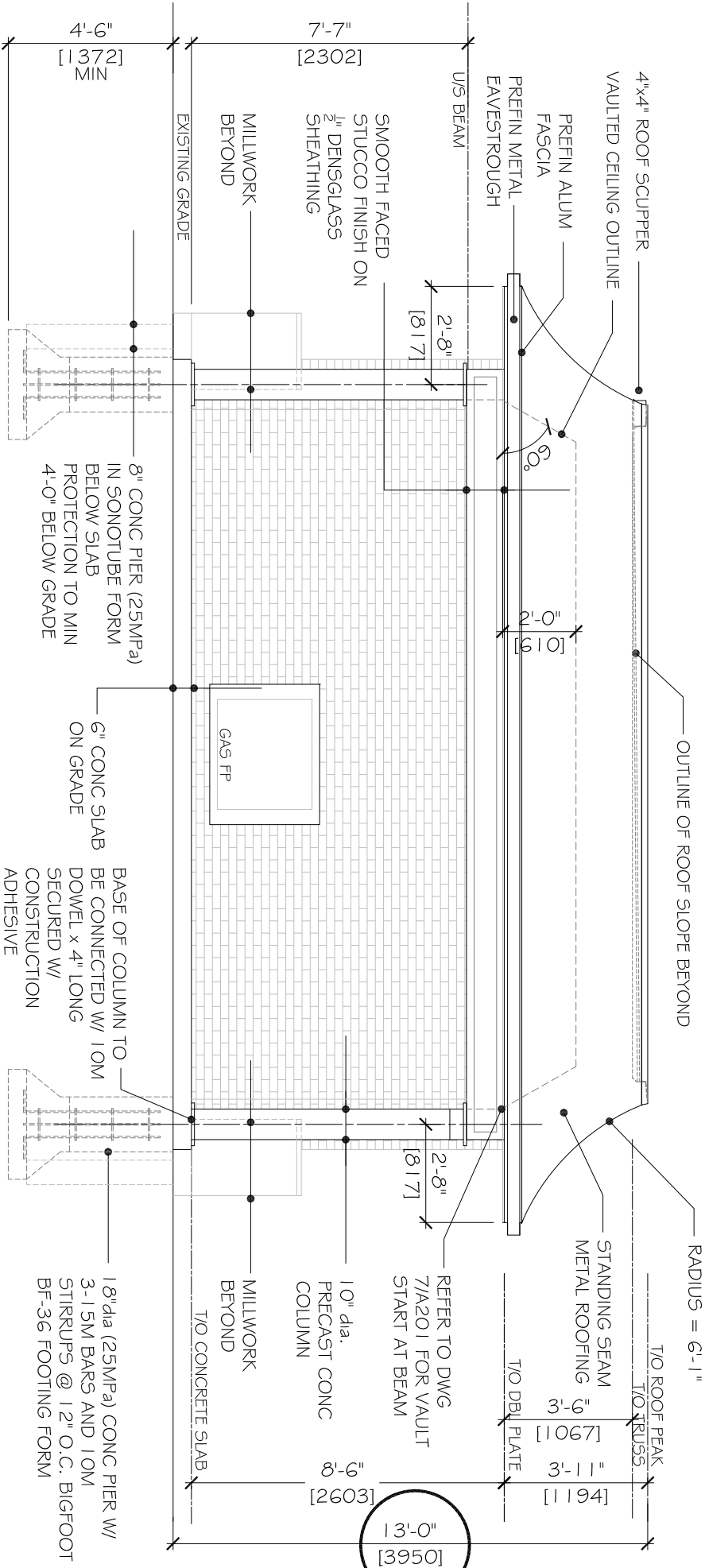
REAR YARD AREA (TOTAL) REAR YARD – SOFT LANDSCAPING



SOFT LANDSCAPE IN REAR YARD:
216.14+4.77+7.10 = 228.01 SQ.M.
LESS TOTAL AREA OF THE STEPPING
STONE PAVERS AROUND THE CABANA
(CONSIDERED HARDSCAPE) = 9.80 SQ.M.
TOTAL SOFT LANDSCAPING = 218.21 SQ.M.

MINIMUM REQUIRED REAR YARD SOFT LANDSCAPING:
60% OF REAR YARD AREA IN EXCESS OF 135 SQ.M.
REAR YARD AREA = 497.26 SQ.M.
 $0.6 \times (497.26 - 135) = 217.36$

General Notes:		Minor Variance	
		Issued for	
Rear Yard Area and Soft Landscaping Calculations		2022-05-10	
		Issue date	
		21-012	
		Project No.	
Inground Pool and Rear Yard Accessory Structure 226 Blackburn Blvd		Drawn by	Checked by
Project			
Drawing title			
A102			
Scale		Sheet No.	
NTS			



#3
3.95m

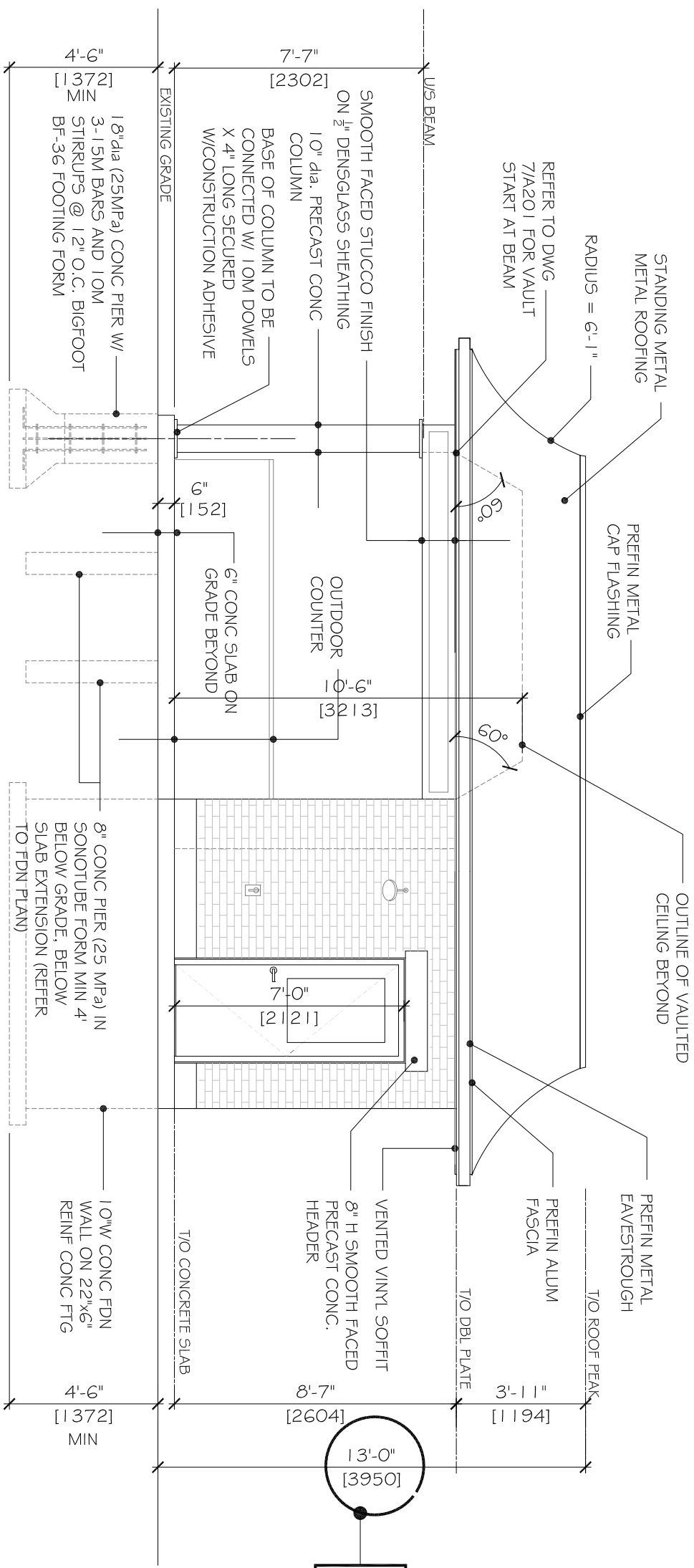
General Notes:

North Elevation

Minor Variance		
Issued for		
2022-05-10		
Issue date		
21-012		
Project No.	Drawn by	Checked by
Project		
Inground Pool and Rear Yard Accessory Structure		
226 Blackburn Blvd		

Scale 1:50

Drawing No.	
A103	
Sheet No.	



#3 3.95m

General Notes:

West Elevation

Inground Pool and Rear
Yard Accessory Structure
226 Blackburn Blvd

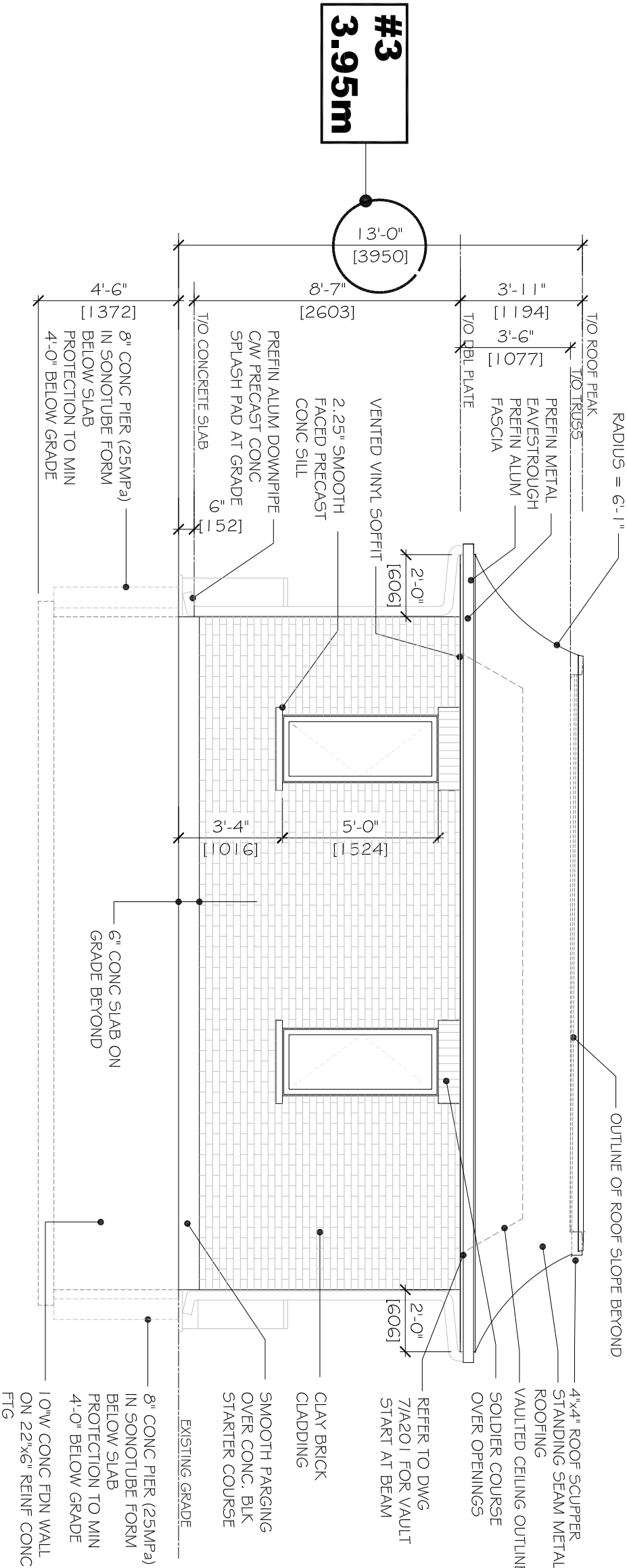
Project

Drawing title

A104

Scale

Sheet no.



General Notes:

South Elevation

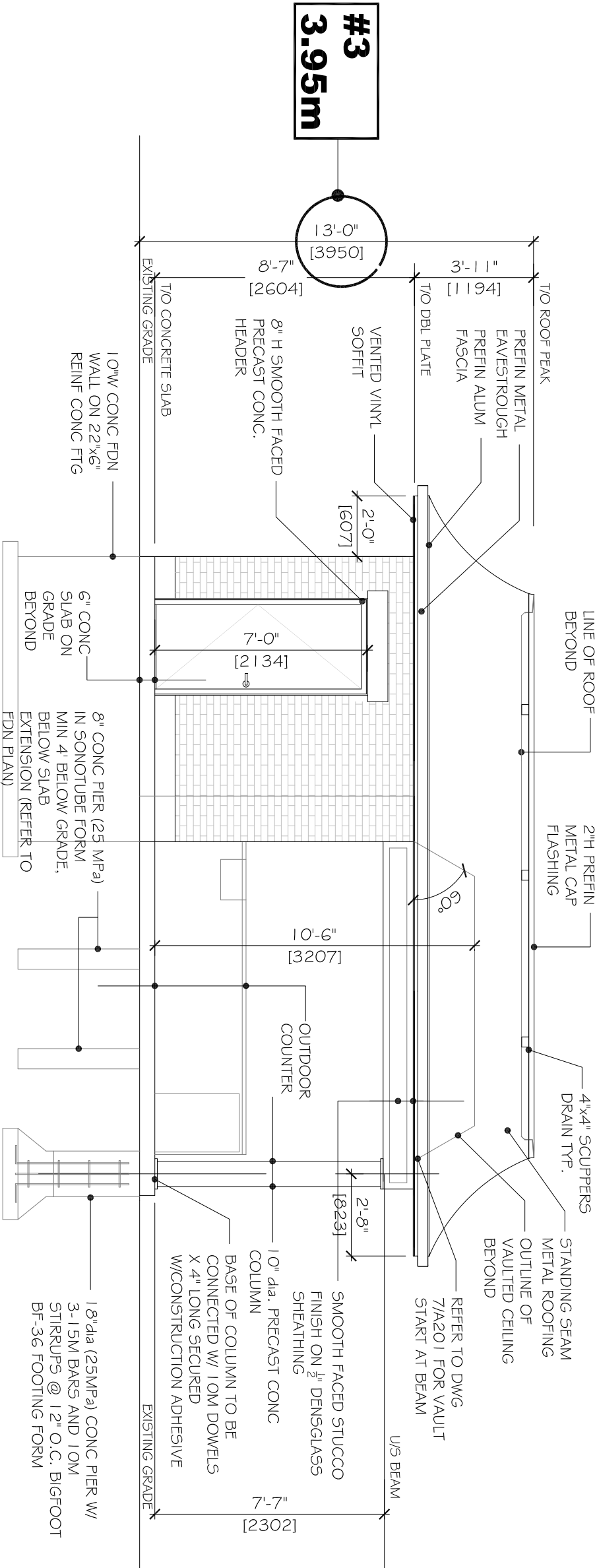
Minor Variance
Issued for
2022-05-10
Issue date
21-012
Project No.
Inground Pool and Rear
Yard Accessory Structure
226 Blackburn Blvd
Project

Drawing title

A105

Scale 1:50

Sheet no.



General Notes:

East Elevation

Minor Variance

Issued for

2022-05-10

Issue date

21-012

Project No.

Drawn by

Checked by

Inground Pool and Rear Yard Accessory Structure
226 Blackburn Blvd

Project

Drawing title

A106

Scale 1:50

Sheet No.

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
Development Planning	X	X	X	Recommend Approval w/Conditions
Building Standards (Zoning)	X			General Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: June 7, 2022

Name of Owner: Rosanna Deo

Location: 226 Blackburn Boulevard

File No.(s): A098/22

Proposed Variance(s) (By-law 001-2021):

1. To permit the proposed residential accessory structure (cabana) to be located 1.5 m from the interior side lot line.
2. To permit the proposed residential accessory structure (cabana) to be located 1.15 m from the rear lot line.
3. To permit the maximum height of the residential accessory structure (cabana) to be 3.95 m.
4. To permit eaves to encroach a maximum of 0.76 m.

By-Law Requirement(s) (By-law 001-2021):

1. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
2. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
3. The maximum height of an accessory building and residential accessory structure shall be 3.0 m.
4. The maximum permitted yard encroachment shall be 0.3 m.

Proposed Variance(s) (By-law 1-88):

5. To permit a minimum rear yard to the accessory building (cabana) of 1.15 m.
6. To permit eaves to encroach a maximum of 0.76 m.

By-Law Requirement(s) (By-law 1-88):

5. The minimum required rear yard is 7.5 m.
6. The maximum permitted yard encroachment shall be 0.3 m.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Comments:

The Owner is requesting relief to permit the construction of a cabana with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2 and 5 for the proposed rear yard and interior side yard setbacks to the cabana, as the cabana is still sufficiently set back from the lot lines to not pose a significant visual impact to the adjacent properties. There a cedar hedge belonging to 228 Columbus Avenue that runs along rear lot line of the subject property. The hedge will assist in providing a vegetative buffer between the cabana and 228 Columbus Avenue. The setbacks also maintain an appropriate area for access and drainage.

The Owner revised their application to reduce the maximum height upon recommendations from the Development Planning Department. The Development Planning Department has no objection to Variance 3 for the revised proposed height of the cabana as it will not pose a significant massing impact to the abutting properties.

The Development Planning Department has no objection to Variances 4 and 6 as the proposed 0.76 m eaves are sufficiently set back from any lot line and will not pose a significant visual impact to the adjacent properties.

In support of the application, the Owner has submitted an Arborist Report and Tree Protection Plan prepared by Tree and Ravine Inc., dated March 30, 2022. The report

inventoried nine trees, none of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-laws, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following conditions:

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That the final Tree Protection Plan be approved to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner I

David Harding, Senior Planner

To: Committee of Adjustment
From: Garrett Dvernichuk, Building Standards Department
Date: June 1, 2022
Applicant: Rosanna Deo
Location: PLAN 65M2536 Lot 81 municipally known as 226 Blackburn Boulevard
File No.(s): A098/22

Zoning Classification:

The subject lands are zoned R1A (EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.351 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [4.1.2 1.b.]	To permit the proposed residential accessory structure (cabana) to be located 1.5 m from the interior side lot line.
2	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [4.1.2 1.b.]	To permit the proposed residential accessory structure (cabana) to be located 1.15 m from the rear lot line.
3	The maximum height of an accessory building and residential accessory structure shall be 3.0 m. [4.1.4 1]	To permit the maximum height of the residential accessory structure (cabana) to be 3.95 m.
4	The maximum permitted yard encroachment shall be 0.3 metres. [14.351.1 1.b.]	To permit eaves to encroach a maximum of 0.76 metres.

The subject lands are zoned R1 – Residential and subject to the provisions of Exception 9(589) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
5	The minimum required rear yard is 7.5 metres. [9(589) ci), Schedule T-54]	To permit a minimum rear yard to the accessory building (cabana) of 1.15 metres.
6	The maximum permitted yard encroachment shall be 0.3 metres. [9(589) bi)]	To permit eaves to encroach a maximum of 0.76 metres.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².

Other Comments:

General Comments	
8	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

* Comments are based on the review of documentation supplied with this application.

Date: May 11th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A098-22**

Related Files:

Applicant Rosanna Deo

Location 226 Blackburn Blvd

COMMENTS:

- ☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- ☒

We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- ☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra’s cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream(Construction Standard 03-1, 03-4, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Stephen Cranley, C.E.T

Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

E-mail: stephen.cranley@alectrautilities.com

Email: Mitchell.Penner@alectrautilities.com

Pravina Attwala

Subject: FW: [External] RE: A098/22 (226 BLACKBURN BLVD) - REQUEST FOR COMMENTS CITY OF VAUGHAN

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: May-12-22 2:32 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A098/22 (226 BLACKBURN BLVD) - REQUEST FOR COMMENTS CITY OF VAUGHAN


Hello Pravina

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carrie Gordon

	Associate, External Liaison Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1 T: 705-722-2244/844-857-7942 F :705-726-4600
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Pravina Attwala

Subject: FW: [External] RE: A098/22 (226 BLACKBURN BLVD) - REQUEST FOR COMMENTS CITY OF VAUGHAN

From: Stephen Bohan <Stephen.Bohan@trca.ca>

Sent: May-13-22 9:08 AM

To: Committee of Adjustment <CofA@vaughan.ca>

Cc: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

Subject: [External] RE: A098/22 (226 BLACKBURN BLVD) - REQUEST FOR COMMENTS CITY OF VAUGHAN

The subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit and TRCA's Planning and Regulatory policy interests are not impacted.

TRCA has no comments and no objection to the application.

Stephen Bohan

Planner

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5743

E: stephen.bohan@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



Pravina Attwala

Subject: FW: [External] RE: A098/22 (226 BLACKBURN BLVD) - REQUEST FOR COMMENTS CITY OF VAUGHAN

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: May-17-22 1:52 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A098/22 (226 BLACKBURN BLVD) - REQUEST FOR COMMENTS CITY OF VAUGHAN

Good afternoon Pravina,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Gabrielle

Gabrielle Hurst mcip rpp | Programs and Process Improvement | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				